

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

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NOVARTIS PHARMACEUTICALS  
CORPORATION,

Plaintiff,

v.

ACTAVIS LLC; APOTEX, INC.;  
APOTEX, CORP.; GLAND PHARMA  
LTD.; DR. REDDY'S LABORATORIES,  
INC.; DR. REDDY'S LABORATORIES  
LTD.; EMCURE PHARMACEUTICALS  
USA, INC.; EMCURE  
PHARMACEUTICALS, LTD; HOSPIRA,  
INC.; PHARMACEUTICS  
INTERNATIONAL INC.; SAGENT  
PHARMACEUTICALS, INC.; ACS  
DOBFAR INFO S.A.; STRIDES, INC.;  
AGILA SPECIALTIES PRIVATE LTD.;  
SUN PHARMA GLOBAL FZE;  
CARACO PHARMACEUTICAL  
LABORATORIES, LTD; SUN  
PHARMACEUTICAL INDUSTRIES  
LTD.; WOCKHARDT USA LLC; and  
WOCKHARDT LTD.

Defendants.

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Civil Action No. 13-1028 (SDW) (MCA)

**[PROPOSED] ORDER TO SEAL**

Upon Plaintiff Novartis Pharmaceuticals Corporation (“Novartis”) application for the entry of an Order, pursuant to Local Civil Rule 5.3(c), providing for the sealing of the following documents [D.I. 232]:

- 1) Portions of Novartis’s Opposition to Wockhardt’s Motion to Dismiss Count II of the Corrected Amended Complaint; and
- 2) Exhibits 1 and 2 to the Declaration of Robert W. Trenchard in Support of Novartis’s Opposition to Wockhardt’s Motion to Dismiss Count II of the Corrected Amended Complaint.

(collectively, the “Subject Material”); the Court having considered the papers submitted in support of this Motion, the Court hereby finds:

1. The Subject Material contains Defendants Wockhardt USA LLC and Wockhardt Ltd. (“Defendants”) confidential and/or nonpublic information, the public disclosure of which could affect legitimate business interests.

2. Upon consideration of the papers submitted in support of this motion, and the materials sought to be sealed, the Court concludes that Novartis has met its burden under Local Civil Rule 5.3(c) and applicable case law, and that these materials should be sealed.

3. Specifically, the Court concludes that:

- a) the Subject Material contains confidential information concerning Defendants’ commercial and/or nonpublic information;
- b) Defendants have a legitimate interest in maintaining the confidentiality of the Subject Material because the confidential information in the Subject Material is commercially sensitive and if publicly disclosed could have significant commercial impact on Defendants; and

c) there is no less restrictive alternative to the relief sought.

**THEREFORE**, it is on this \_\_\_\_\_ day of \_\_\_\_\_, 2013

**ORDERED** that Novartis' Motion to Seal is hereby GRANTED; and

**IT IS FURTHER ORDERED** that the Clerk is hereby directed to seal the Subject Material.

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Honorable Madeline Cox Arleo  
United States Magistrate Judge